



STATE OF ARIZONA
DEPARTMENT OF INSURANCE

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CHARLES R. COHEN
Director of Insurance

REGULATORY BULLETIN 2002-05

TO: Insurers, Producers, Insurance Trade Associations and other Interested Parties

FROM: Charles R. Cohen
Director of Insurance

DATE: May 20, 2002

RE: **Review of Department Substantive Policy Statements**

To promote the clarity of Arizona insurance regulatory standards, the Department of Insurance has conducted a review of substantive policy statements issued by prior Directors of Insurance to determine which have continuing relevance and validity and should therefore be retained as substantive policy statements of the Department. This bulletin lists those circular letters being withdrawn and those being retained. All circular letters and bulletins issued by the above-named current Director of Insurance remain in effect as the active substantive policy statements of this Department.

Many of the circular letters being withdrawn were, when issued, topical discussions of regulatory issues or announcements and descriptions of newly enacted laws or rules, and included a statement of the Department's intent to enforce particular provisions. When originally issued, these circular letters served as useful policy statements and reminders, but have lost their usefulness and relevance over time. Some have expired by their own terms or have been superseded by controlling statutes or rules.

Please note that this withdrawal of circular letters does not signal any retreat, on the part of the Department, from enforcement of all laws currently in effect. The Department will enforce appropriate compliance with all provisions of the Insurance Code (A.R.S. Title 20) and applicable rules (A.A.C. Title 20, Chapter 6), regardless of whether the particular statute or rule is discussed in a circular letter or regulatory bulletin.

Please direct any questions about this bulletin to Vista Thompson Brown, Executive Assistant for Policy Affairs, (602) 912-8456.

Circular Letters Being Withdrawn

All circular letters or bulletins issued prior to June 30, 1976.

J.N. Trimble

June 30, 1976	Change in Licensing Requirements
July 2, 1976	Repeal of Catastrophic Medical Costs Insurance Program
July 9, 1976	Payment of Claims Where Loss is Incurred During the Period When the Policy is in Force
Nov. 15, 1976	Marketing "Tax Sheltered Annuities"
Dec. 1, 1976	Arizona Adjusters Examination Information
Dec. 20, 1976	Title 20-309 (Exchange of Business)
January 10, 1977	Trusted Group Life and Disability Insurance
February 18, 1977	Arizona Examination Information
February 22, 1977	Title 20-309 (Exchange of Business)
March 25, 1977	Deadline for Brokers License
May 23, 1977	Liability of Persons Representing An Unauthorized Insurer in Solicitation Of Insurance If Unauthorized Insurer Fails to Pay Claim.
June 1, 1977	Insurance Examiners' Revolving Fund
July 1977	Notification of Results of Life and Disability or Property and Casualty Examination
Dec. 2, 1977	Warranties and Insurance
1978	Assumed Business Name
September 1978	Non-Admitted Insurers
October 16, 1978	Service Charges (<i>The issue discussed in this circular letter is now addressed under A.R.S. § 20-465.</i>)
Nov. 17, 1978	A.R.S. § 20-1602 Credit Insurance on Credit Transactions of Not More Than 15 Years Duration (<i>issued by Earl T. Nagel, CLU, Assistant Director</i>)
January 19, 1979	Credit Authorization Agents' Licensing Examination and Preparation Manual

J. Michael Low

Nov. 24, 1980	Refund of Disability (Health) Insurance Premiums; Loss Ratios For Disability Policy Forms
June 19, 1981	Replacement of Life Insurance
August 18, 1981	Fingerprint Notice
January 6, 1982	Unfair Claims Settlement Practices Regulation
March 2, 1982	Department Enforcement of Rule R4-14-606; Minimum Standards for Medicare Supplement Coverages.
March 1982	Insurance Examiner's Revolving Fund
March 4, 1982	New Regulation, R4-14-604; Credit Life and Credit Disability Insurance
March 8, 1982	The Insurance Information and Privacy Protection Act
June 18, 1982	Outpatient Benefits Pursuant to A.R.S. § 20-1342

July 1, 1982	Arizona Approval of Schedule Rating For Workers' Compensation Insurance.
July 16, 1982	Implementation of Changes Under A.R.S. § 20-1231 Standard Nonforfeiture Law
July 29, 1982	Credit Life Insurance
July 29, 1982	Recent Amendment to A.R.S. § 20-1742; Report Filing Requirements
September 1982	Rule/Rate and Form Filings
October 14, 1982	Report of the Department's Life Insurance Replacement Rule Advisory Committee
May 18, 1983	1983 Arizona Insurance Legislation
June 10, 1983	Language Simplification for Life and Disability Insurance Policies
August 15, 1983	Changes in Insurer Investment Laws
May 23, 1984	1984 Arizona Insurance Legislation

S. David Childers

January 4, 1985	Sharing of Commissions
April 15, 1985	Mid-Term Cancellations
July 2, 1985	Receiver's Obligation to Pay Arizona State Income Tax
August 28, 1985	Temporary Licensing – A.R.S. § 20-307(A)(7)
June 27, 1986	1986 Arizona Insurance Legislation (#86-1)
Dec. 18, 1986	1987 Arizona Department of Insurance Legislative Proposals (#86-2)
January 29, 1987	Changes in Rules and Regulations (#87-1)
February 10, 1987	Filing Procedures for Advertising and Sales Solicitation Material (#87-2)
February 27, 1987	Service Charges to Insureds (#87-3) (<i>This subject is now addressed under A.R.S. § 20-465.</i>)
August 14, 1987	1987 Arizona Insurance Legislation (#87-4)

Vern R. Pierson

Nov. 17, 1987	AIDS Underwriting Guidelines (#87-5)
Dec. 24, 1987	House Bill 2304 (#87-7)

Susan Gallinger

August 8, 1988	Emergency Amendment to R4-14-606 – Medicare Supplement Insurance Disclosure and Minimum Standards (#88-2)
August 30, 1988	1988 Arizona Insurance Legislation (#88-3)
July 17, 1989	1989 Arizona Insurance Legislation (#89-1)
August 2, 1990	Arizona Insurance Legislation (#90-2A)
August 14, 1990	House Bill 2213 (#90-3A)
Sept. 27, 1990	Arizona House Bill 2181 (#90-5A)
October 10, 1990	Fire Insurance Premium Taxes - Senate Bill 1328 (#90-6A)

Nov. 26, 1990 Amendments to A.A.C. R4-14-606 - Medicare Supplement Insurance Disclosure and Minimum Standards (#90-8A)

Dec. 7, 1990 Salvage Certificate of Title Requirements (#90-9A)

Dec. 14, 1990 Fire Insurance Premium Tax (Supplement to #90-6A) (#90-11)

Dec. 17, 1990 Senate Bill 1250 (Seat Belts) (#90-10A)

May 8, 1991 Senate Bill 1250 (Seat Belts) and Previous Department of Insurance Circular Letter No 90-16 - Revised Reporting Schedule (#91-1)

July 17, 1991 Use of Urine and/or Saliva Screening Tests for HIV Infection in Connection With an Application for Life or Health Insurance (#91-3)

July 26, 1991 1991 Arizona Insurance Legislation (#91-2)

Dec. 19, 1991 Medicare Supplement Insurance Rules (#91-4)

Dec. 31, 1991 Senate Bill 1250 (Seat Belts) (#91-5)

February 11, 1992 Solicitation of Discounts for Airbags and Anti-Theft Devices (#92-2)

July 23, 1992 1992 Arizona Insurance Legislation (#92-4)

Dec. 1, 1992 Delay in Payment of Claims (#92-8)

Dec. 17, 1992 Insurance License Testing (#92-9)

June 14, 1993 Licensing of Premium Finance Companies (#93-3)

June 29, 1993 Administrative Rule R4-14-801 As Applied to Health Care Services Organizations (#93-1) *(This circular was expressly repealed by #2000-15.)*

July 12, 1993 1993 Arizona Insurance Legislation (#93-2)

Sept. 10, 1993 Reporting of Small Employer Group Health Benefit Plan Business and Application for Approval as an Accountable Health Plan (#93-4)

Nov. 18, 1993 Tort Reform; Senate Bill 1055 (#93-5)

Chris Herstam

April 1, 1994 Tort Reform: Senate Bill 1055 (#94-1)

April 11, 1994 Form for Selection of Limits or Rejection of Uninsured Motorist or Underinsured Motorist Coverage (#94-3)

June 13, 1994 1994 Arizona Insurance Legislation (#94-4)

June 30, 1994 Prohibited Acts; Mortgage Lenders; Property Insurance (#94-5)

May 19, 1995 Filing Financial Statements in Diskett Format Pursuant to A.R.S. § 20-234 (#95-3)

June 30, 1995 1995 Arizona Insurance Legislation (#95-4)

May 24, 1996 1996 Arizona Insurance Legislation (#96-1)

John King

Nov. 18, 1996 Notice of the Amendment to the Automobile Non-Cancellation Provisions - SB 1158 (#96-2)

John A. Greene

July 2, 1997 Consumer Information and Coverage Selection Form Prescribed By SB 1445 (#97-2)

July 11, 1997	Recent Amendments to the surplus Lines Insurance Laws; SB 1031 (#97-3)
July 15, 1997	Consumer Information and Coverage Selection Form Prescribed By Senate Bill 1445; Spanish Translation of the Forms (#97-5)
July 21, 1997	1997 Arizona Insurance Legislation (#97-6)
Sept. 2, 1997	Suspension of Portions of Senate Bill 1445; Consumer Information and Coverage Selection Form (#97-8)
January 6, 1998	A-Rate Legislation (#98-1)
February 6, 1998	Amendment of Attachment to Circular Letter 1998-1, January 6, 1998 (#98-1A)
July 20, 1998	Arizona's New Continuing Education Law (#98-4)
August 13, 1998	1998 Arizona Insurance Laws (#98-7)
August 13, 1998	Mailing Lists for Rulemaking Activities of the Department (#98-6) (<i>This was expressly repealed in bulletin #2001-07.</i>)
August 19, 1998	Recent Amendments to the Surplus Lines Insurance Rule, Arizona Administrative Code R20-6-204 (#98-8)

Circular Letters Not Being Withdrawn

The circular letters listed below remain relevant to current regulatory issues, and, unless and until withdrawn, superseded, or revised, shall continue to serve as the Department's substantive policy statements with respect to the subject issues. In deciding to retain them, the Department does not intend to signify that it has conducted an exhaustive review of each issue and now affirmatively re-adopts each circular letter. The Department is merely declining to withdraw them at this time. It may be appropriate to withdraw or revise any of the following circular letters in the future on the basis of a careful review in light of prevailing conditions.

J. Michael Low

April 28, 1981	Department Investigation of Workers' Compensation Insurance Replacement
July 24, 1981	Reasonableness of Benefits in Relation to Premium Charged

S. David Childers

March 25, 1985	Abandonment of Automobile Salvage
June 24, 1985	Intentional Misquoting of Personal Lines Property and Casualty Rates

Vern Pierson

Dec. 14, 1987	Credit Insurance (#87-6)
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Susan Gallinger

July 20, 1988	Testing of Officers and Employees of Title Insurance Agents (#88-1)
October 3, 1989	Unclaimed Property (#89-2)
January 29, 1990	Cancellation or Nonrenewal of Homeowners' Policies (#90-1A)

Sept. 5, 1990 AIDS/HIV Testing and Consent Form (#90-4A)
Sept. 27, 1990 Arizona House Bill 2181 (#90-5A)
October 25, 1990 "Moving" Auto Insurance Policyholders to New Companies (#90-7A)
February 11, 1992 Medicare Open Enrollment (#92-1)
April 17, 1992 Use of United States Drug Enforcement Administration (DES) Registration Numbers as Physician Identification Numbers (#92-3)
July 23, 1992 Joint State/Federal Statement on Regulation of MEWAs (#92-5)
Sept. 25, 1992 Solvency Guidelines (#92-7)

Chris Herstam

April 5, 1994 Premium Credit for Subscription to Fire Protection Service (#94-2)
October 7, 1994 Misquotes (#94-6)
February 27, 1995 Misquotes; Private Passenger Automobile Insurance (#95-1)
February 27, 1995 Abandonment of Automobile Salvage (#95-2)
August 10, 1995 Discriminatory Exclusions and Limitations on Chiropractic Treatment Prohibited By A.R.S. § 20-461(A)(16) and (B); Withdrawal of Circular Letters 90-5A and 92-6 (#95-5)

John Greene

March 7, 1997 Non-renewal of Motor Vehicle Insurance Policies and Transfers of Policies to Affiliated Insurers Pursuant to A.R.S. § 20-1631(E) and (L) (#97-1)
July 11, 1997 Genetic Testing Form Mandated By House Bill 2144 and A.R.S. § 20-448.02 (#97-4)
July 21, 1997 Implementation of Senate Bill 1321 (#97-7)
Sept. 4, 1997 Long Term Care Insurance and Inflation Protection Option; Interpretation of A.A.C. R20-6-1005(a) (#97-9)
May 28, 1998 Administration of Arizona's Service Company and Motor Vehicle Service Contract Administrator's Laws; A.R.S. Title 20, Chapter 4, Article 11 (#98-2)
June 3, 1998 Administration of Worker's Compensation Laws; A.R.S. Title 20, Chapter 2, Article 4 (#98-3)
August 11, 1998 Form for Selection of Limits or Rejection of Uninsured Motorist or Underinsured Motorist Coverage (#98-5)
August 28, 1998 Senate Bill 1024; Loss Cost Filings (#98-9)